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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MANNING, JOHN

ART UNIT PAPER NUMBER

2614

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,688

Applicant(s)

KRAKIRIAN, HAIG

Examiner

John Manning

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-89 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-89 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-73 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11, 15-32, 36-50, 54-68, 72-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeGall et al. (US Pat No 6,081,263) in view of Buch et al. (US Pat No 6,463,468).

In regard to claim 1 and 38, Legall discloses a user configurable electronic program guide, which is used in a browser environment in conjunction with the World Wide Web. Legall discloses displaying a video program and supplemental information as seen in Figure 7C as recited in the preamble. The claimed step of "displaying a first video content having an original size on a display" is met by Figure 7C, Item 720. "FIG. 7c illustrates one embodiment of an audio/video (A/V) display window 720, displayed in one embodiment of the user's world. An EPG 730 contains selected station identifications and corresponding programming for those stations 735" (Col 7, Lines 17-21). The claimed step of "converting data associated with the supplemental information to a format wherein at least one of textual content and graphic content representing at

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least a portion of the supplemental information is displayed on a second portion of the display different from the first portion of the display at the same time as the first video content is displayed on the first portion of the display” is met by Figure 7C, Items 730 and 745. Items 730 and 745 of Figure 7C comprise both textual and graphical content. Legall fails to explicitly disclose “converting the first video content to a format wherein the first video content is reduced in size from the original size and displayed on a first portion of the display” or “wherein the first video content is reduced in size and displayed on the first portion of the display and the supplemental data is displayed on the second portion of the display in response to at least one command input from a user watching the display”. Buch teaches converting the first video content to a format wherein the first video content is reduced in size from the original size and displayed on a first portion of the display so as to allow the use to change the video to a preferred size. Buch is directed toward transmitting video information over the Internet to a user’s browser. Legall is directed towards configurable electronic program guide, which is used in a browser environment. Buch discloses, “FIG. 7 illustrates details of the viewer window 406 (FIG. 4) and control bar. The window control bar 702 is a vertical bar that includes a sizing icon 704 that permits a user to modify, within predetermined limits, the size of the window 406” (Col 10, Lines 41-45). Consequently, it would have been obvious to one of ordinary skill in the art to modify Legall with converting the first video content to a format wherein the first video content is reduced in size from the original size and displayed on a first portion of the display so as to allow the use to change the video to a preferred size.

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In regard to claim 2, 20, 39 and 57, the claimed limitation "the first video content is a television program which has been broadcasted and received by a television and the supplemental information is program information received by the television and relating to the television program" is met by Figure 7C. "An EPG 730 contains selected station identifications and corresponding programming for those stations 735. A currently active station identification 740 displayed reflects the station and program of the A/V image presented in the A/V display window 720" (Col 7, Lines 19-22).

In regard to claim 3, 21, 40 and 58, as can be seen in Figure 7C. the program information contains channel and broadcast time information.

In regard to claim 4, 22, 41 and 59, the combined teaching fails to explicitly disclose the selective conversion of specific portions of the supplemental information in response to signals output from a user input device. However, the examiner gives OFFICIAL NOTICE that it is notoriously well known to use signals output from a user input device so as to selectively convert specific portions of the supplemental information in order to provide the user with the option to select information that he or she is interested in. Consequently, it would have been clearly obvious to one of ordinary skill in the art to implement the combined teaching. with selective conversion of specific portions of the supplemental information in response to signals output from a user input device for the stated advantage.

In regard to claim 5, 23, 42 and 60, the reference discloses that supplemental information includes a portion of the description of the television program. "As illustrated, the currently active station identification 740, can further include an

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identification and brief text synopsis of the currently displayed program. It should be noted that selected station identifications 745 can also be represented as icons independent of the EPG 730" (Col 7, Lines 24-28).

In regard to claim 6, 24, 43 and 61, Figure 7C. shows supplemental information relating to a plurality of video programs.

In regard to claim 7, 25, 44 and 62 the combined teaching fails to explicitly disclose the selective conversion of specific portions of the supplemental information in response to signals output from a user input device. However, the examiner gives OFFICIAL NOTICE that it is notoriously well known to use signals output from a user input device so as to selectively convert specific portions of the supplemental information in order to provide the user with the option to select information that he or she is interested in. Consequently, it would have been clearly obvious to one of ordinary skill in the art to implement the combined teaching with selective conversion of specific portions of the supplemental information in response to signals output from a user input device for the stated advantage.

In regard to claim 8, 26, 45 and 63, Figure 7C. shows a channel listing of video programs on different channels.

In regard to claim 9, 27, 46 and 64, all of the EPG information shown in Figure 7C. is intended to be conveyed to the user.

In regard to claim 10, 28, 47 and 65, the combined teaching fails to explicitly disclose the selective conversion of specific portions of the supplemental information in response to signals output from a user input device. However, the examiner gives

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OFFICIAL NOTICE that it is notoriously well known to use signals output from a user input device so as to selectively convert specific portions of the supplemental information in order to provide the user with the option to select information that he or she is interested in. Consequently, it would have been clearly obvious to one of ordinary skill in the art to implement combined teaching with selective conversion of specific portions of the supplemental information in response to signals output from a user input device for the stated advantage.

In regard to claims 11, 29, 48 and 66, the combined teaching discloses a method and apparatus of adjusting the sizes of video programming information as well as supplemental information in a program guide display. The reference discloses that the supplemental information converted may include program summaries, weather information, logos, or messages. The reference fails to explicitly disclose that the message information is advertising information. However, the examiner gives OFFICIAL NOTICE that it is notoriously well known to use the capability of sending messages as a way to send advertisements so as to influence the use to purchase goods or services. Consequently, it would have been clearly obvious to one of ordinary skill in the art to implement combined teaching to have the message information be advertising information for the stated advantage.

In regard to claim 15, 31, 49 and 67, the television screen is met by display 120 of figure 1A.

In regard to claims 16, 32, 50 and 68, the combined teaching discloses a method of adjusting the sizes of video programming information as well as supplemental

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information in a program guide display. The reference discloses that the display device is a television screen. "Television units 24 are preferably conventional television sets, but could be any suitable equipment with the ability to receive a desired television channel" (Col 4, Lines 49-51). The reference fails to explicitly disclose that the television screen is high definition screen. However, the examiner gives OFFICIAL NOTICE that it is notoriously well known to use a television with a high definition screen so as to provide a high quality picture. Consequently, it would have been clearly obvious to one of ordinary skill in the art to implement the combined teaching to have a television with a high definition screen for the stated advantage.

In regard to claim 17, 36, 54 and 72 the disclosed "first portion" is resizable such that it operable to be the majority of the display.

In regard to claim 18, 37, 55 and 73 the reference fails to explicitly disclose that the "first portion" of the display occupy 80% of the display. However, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to implement the combined teaching so as have the "first portion" of the display occupy 80% of the display to allow the user to easily view the displayed video.

In regard to claim 19 and 56, Legall discloses a user configurable electronic program guide, which is used in a browser environment in conjunction with the World Wide Web. Legall discloses displaying a video program an supplemental information as seen in Figure 7C as recited in the preamble. The claimed limitation of "a processor" is met by Figure 1, Item 135. The claim limitation "a memory including software instructions adapted to enable the computer system" is met by Figure 1, Item 130. The

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claimed limitation of "displaying a first video content having an original size on a display" is met by Figure 7C, Item 720. "FIG. 7c illustrates one embodiment of an audio/video (A/V) display window 720, displayed in one embodiment of the user's world. An EPG 730 contains selected station identifications and corresponding programming for those stations 735" (Col 7, Lines 17-21). The claimed step of "converting data associated with the supplemental information to a format wherein at least one of textual content and graphic content representing at least a portion of the supplemental information is displayed on a second portion of the display different from the first portion of the display at the same time as the first video content is displayed on the first portion of the display" is met by Figure 7C, Items 730 and 745. Items 730 and 745 of Figure 7C comprise both textual and graphical content. Legall fails to explicitly disclose "converting the first video content to a format wherein the first video content is reduced in size from the original size and displayed on a first portion of the display" or "wherein the first video content is reduced in size and displayed on the first portion of the display and the supplemental data is displayed on the second portion of the display in response to at least one command input from a user watching the display". Buch teaches converting the first video content to a format wherein the first video content is reduced in size from the original size and displayed on a first portion of the display so as to allow the use to change the video to a preferred size. Buch is directed toward transmitting video information over the Internet to a user's browser. Legall is directed towards configurable electronic program guide, which is used in a browser environment. Buch discloses, "FIG. 7 illustrates details of the viewer window 406 (FIG. 4) and control bar.

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The window control bar 702 is a vertical bar that includes a sizing icon 704 that permits a user to modify, within predetermined limits, the size of the window 406" (Col 10, Lines 41-45). Consequently, it would have been obvious to one of ordinary skill in the art to modify Legall with converting the first video content to a format wherein the first video content is reduced in size from the original size and displayed on a first portion of the display so as to allow the use to change the video to a preferred size.

In regard to claim 30, the combined teaching discloses a method of adjusting the sizes of video programming information as well as supplemental information in a program guide display. The combined teaching fails to explicitly disclose that the processor and memory are incorporated within a television receiver. However, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to implement the combined teaching system to have the processor and memory incorporated within a television receiver so as to allow the processing of data locally, in one unified device, rather than separately for ease of use.

In regard to claims 74, 78, 82 and 86, Figure 7C. of Legall shows that the supplemental information is in a second portion of the screen and does not obstruct by the video.

In regard to claims 75, 79, 83 and 87, Figure 7C. of Legall shows that the video content does not obstruct the supplemental information and the supplemental information is in a second portion of the screen.

In regard to claim 76, 80, 84 and 88, the supplemental information includes information about the first video content as can be seen by Item 740 of Figure 7C.

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In regard to claim 77, 81, 85 and 89 the disclosed "first portion" is resizable such that it operable to be the any size of the display.

4. Claims 12-14, 33-35, 51-53 and 69-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeGall et al. in view of Buch et al. and in view of Nishikawa et al. (US Pat No 6,481,010).

In regard to claims 12, 33, 51 and 69, the aforementioned combined teaching discloses a method and apparatus of adjusting the sizes of video programming information as well as supplemental information in a program guide display. The combined teaching fails to explicitly disclose that the video content is represented by data from a server via a connection to the server. The Nishikawa et al. reference teaches the displaying video content by retrieving the video content data on demand from a server so as to permit "a user to view DSS channels, local cable-based and/or terrestrial-based channels, and Internet data in a seamless fashion." "Integrated receiver 12 also receives Internet signals from Internet service provider 24 and performs operations (e.g., decompressing and/or decoding routines) on the Internet signals to produce video and audio information to be displayed to the user via TV 16. The user controls the display of the Internet-derived and broadcast-derived audio and video information using remote controller 14" (Col 3, Lines 66-67; Col 4, Lines 1-7). Using Internet signals to produce video and audio information implies a connection to a server. Consequently, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to implement the combined teaching so as to display video content by retrieving the video content data on demand from a server so

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as to permit "a user to view DSS channels, local cable-based and/or terrestrial-based channels, and Internet data in a seamless fashion."

In regard to claims 13, 34, 52 and 70, the Nishikawa et al. reference discloses that the system connects to a "server" via the Internet. "Integrated receiver 12 also receives Internet signals from Internet service provider 24 and performs operations (e.g., decompressing and/or decoding routines) on the Internet signals to produce video and audio information to be displayed to the user via TV 16. The user controls the display of the Internet-derived and broadcast-derived audio and video information using remote controller 14" (Col 3, Lines 66-67; Col 4, Lines 1-7).

In regard to claims 14, 35, 53 and 71, the primary reference of combined teaching in view of Nishikawa et al. discloses a method of adjusting the sizes of video programming information as well as supplemental information in a program guide display where the video content displayed is retrieved on demand from a server. The connection is made via the Internet. The primary reference fails to disclose the use of TCP/IP as a protocol. However, the examiner gives OFFICIAL NOTICE that it is notoriously well known to use TCP/IP protocol to provide communication across interconnected networks, between computers with diverse hardware architectures and various operating systems. Consequently, it would have been clearly obvious to one of ordinary skill in the art to implement the primary reference of the combined teaching in view of Nishikawa et al. to have a television with a high definition screen for the stated advantage.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 703-305-0345. The examiner can normally be reached on M-F: 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM
February 18, 2005

A handwritten signature in black ink, appearing to read 'J. Miller', is positioned above the printed name and title.

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600